

MINIMUM FILING FEE: \$100.00  
FILE ORIGINAL & ONE COPY  
TYPE OR PRINT IN BLACK INK  
(For explanation of entries required, see  
booklet "How to File an Application to  
Appropriate Water in California")

STATE OF CALIFORNIA  
State Water Resources Control Board  
DIVISION OF WATER RIGHTS  
901 P Street, Sacramento  
P. O. Box 2000, Sacramento, CA 95812-2000

Working Copy

APPLICATION TO APPROPRIATE WATER BY PERMIT

Application No. 31497  
(Leave blank)

1. APPLICANT

Stonecraft Homes, Inc., et al (see attachment) (310) 826 - 1482

(Name of applicant)

(Telephone number where you may be reached  
between 8 a. m. and 5 p. m. - include area code)

11661 San Vicente Blvd., Ste. 305 Los Angeles, CA 90049

(Mailing address)

(City or town)

(State)

(Zip code)

2. SOURCE

a. The name of the source at the point of diversion is See Attachment

(If unnamed, state that it is an unnamed stream, spring, etc.)

tributary to \_\_\_\_\_

b. In a normal year does the stream dry up at any point downstream from your project? YES ☒ NO ☐ If yes, during  
what months is it usually dry? From Summer months to \_\_\_\_\_

What alternate sources are available to your project should a portion of your requested direct diversion season be  
excluded because of a dry stream or nonavailability of water? Groundwater

3. POINTS OF DIVERSION and REDIVERSION

a. The point(s) of diversion will be in the County of Madera

b. List all points giving coordinate distances from section corner or other tie as allowed by Board regulations I, e. California Coordinate System	Point is within (40-acre subdivision)		Section	Township	Range	Base and Meridian
<u>See Attachment</u>	<u>1/4 of</u>	<u>1/4</u>				
	<u>1/4 of</u>	<u>1/4</u>				
	<u>1/4 of</u>	<u>1/4</u>				

c. Does applicant own the land at the point of diversion? YES ☒ NO ☐

d. If applicant does not own the land at point of diversion, state name and address of owner and what steps have been taken  
to obtain right of access: \_\_\_\_\_

FOR0053-R2

4. PURPOSE of USE, AMOUNT and SEASON

a. In the table below, state the purpose(s) for which water is to be appropriated, the quantities of water for each purpose,  
and the dates between which diversions will be made. Use gallons per day if rate is less than 0.025 cubic foot per second  
(approximately 16,000 gallons per day). Purpose must only be "Domestic" for registration of small domestic use.\*

PURPOSE OF USE (Irrigation, Domestic, etc.)	DIRECT DIVERSION				STORAGE		
	QUANTITY		SEASON OF DIVERSION		AMOUNT	COLLECTION SEASON	
	RATE (Cubic feet per second or gallons per day)	AMOUNT (Acre-feet per year)	Beginning Date (Mo. & Day)	Ending Date (Mo. & Day)	Acre-feet per annum	Beginning Date (Mo. & Day)	Ending Date (Mo. & Day)
Municipal	1.33	282	Dec 1	Apr 30	309	Dec 1	Apr 30
Recreation							
		282			309*		

b. Total combined amount taken by direct diversion and storage during any one year will be 591 acre-feet.

\*Not to exceed 4,500 gallons per day by direct diversion or 10 acre-feet per annum by storage.

\*See attachment

## 5. JUSTIFICATION OF AMOUNT

a. IRRIGATION: Maximum area to be irrigated in any one year is \_\_\_\_\_ acres.

CROP	ACRES	METHOD OF IRRIGATION (Sprinklers, flooding, etc.)	ACRE-FEET PER YEAR	NORMAL SEASON	
				Beginning Date	Ending Date

b. DOMESTIC: Number of residences to be served is \_\_\_\_\_. Separately owned? YES ☐ NO ☐  
 Total number of people to be served is \_\_\_\_\_. Estimated daily use per person is \_\_\_\_\_ (Gallons per day)  
 Total area of domestic lawns and gardens is \_\_\_\_\_ square feet.  
 Incidental domestic uses are \_\_\_\_\_ (Dust control area, number and kind of domestic animals, etc.)

c. STOCKWATERING: Kind of stock \_\_\_\_\_ Maximum number \_\_\_\_\_  
 Describe type of operation: \_\_\_\_\_ (Feed lot, dairy, range, etc.)

d. RECREATIONAL: Type of recreation: Fishing ☐ Swimming ☐ Boating ☐ Other ☒ Golf Course  
 Asthetic Amenities

e. MUNICIPAL: (Estimated projected use)

POPULATION 5-Year periods until use is completed		MAXIMUM MONTH		ANNUAL USE		
PERIOD	POP.	Average daily use (gal. per capita)	Rate of diversion (cfs)	Average daily use (gal. per capita)	Acre-foot (per capita)	Total acre-foot *
Present	173	684	0.2	585	0.65	112
5 yrs.	974	682	1.0	577	0.64	630
10 yrs.	1,155	685	1.2	580	0.65	750
*Applicant uses groundwater sources.						

Month of maximum use during year is August. Month of minimum use during year is February.

f. HEAT CONTROL: The total area to be heat protected is \_\_\_\_\_ net acres.  
 Type of crop protected is \_\_\_\_\_  
 Rate at which water is applied to use is \_\_\_\_\_ gpm per acre.  
 The heat protection season will begin about \_\_\_\_\_ (Date) and end about \_\_\_\_\_ (Date)

g. FROST PROTECTION: The total area to be frost protected is \_\_\_\_\_ net acres.  
 Type of crop protected is \_\_\_\_\_  
 Rate at which water is applied to use is \_\_\_\_\_ gpm per acre.  
 The frost protection season will begin about \_\_\_\_\_ (Date) and end about \_\_\_\_\_ (Date)

h. INDUSTRIAL: Type of industry is \_\_\_\_\_  
 Basis for determination of amount of water needed is \_\_\_\_\_

i. MINING: The name of the claim is \_\_\_\_\_, Patented ☐ Unpatented ☐  
 The nature of the mine is \_\_\_\_\_. Mineral to be mined is \_\_\_\_\_  
 Type of milling or processing is \_\_\_\_\_  
 After use, the water will be discharged into \_\_\_\_\_ (Name of stream)  
 in \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of Section \_\_\_\_\_, T \_\_\_\_\_, R \_\_\_\_\_, B. & M. (40-acre subdivision)

j. POWER: The total fall to be utilized is \_\_\_\_\_ feet. The maximum amount of water to be used through the penstock is \_\_\_\_\_ cubic feet per second. The maximum theoretical horsepower capable of being generated by the works is \_\_\_\_\_. Electrical capacity is \_\_\_\_\_ kilowatts at \_\_\_\_\_ % efficiency.  
 (Cubic feet per second x fall ÷ 8.8) (Hp x 0.746 x efficiency)  
 After use, the water will be discharged into \_\_\_\_\_ (Name of stream)  
 in \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of Section \_\_\_\_\_, T \_\_\_\_\_, R \_\_\_\_\_, B. & M. FERC No. \_\_\_\_\_ (40-acre subdivision)

k. FISH AND WILDLIFE PRESERVATION AND/OR ENHANCEMENT: YES ☐ NO ☐ If yes, list specific species and habitat type that will be preserved or enhanced in Item 17 of Environmental Information form WR 1-2.

l. OTHER: Describe use: \_\_\_\_\_. Basis for determination of amount of water needed is \_\_\_\_\_

6. PLACE OF USE

- a. Does applicant own the land where the water will be used? YES ☐ NO ☐ Is land in joint ownership? YES ☐ NO ☐  
(All joint owners should include their names as applicants and sign the application.) See Below  
If applicant does not own land where the water will be used, give name and address of owner and state what arrangements have been made with the owner. Place of use is within the boundary of  
Madera County Maintenance District 46.

b.

USE IS WITHIN (40-acre subdivision)	SECTION	TOWNSHIP	RANGE	BASE & MERIDIAN	IF IRRIGATED	
					Number of acres	Presently cultivated (Y/N)
1/4 of 1/4	See Attachment					
1/4 of 1/4						
1/4 of 1/4						
1/4 of 1/4						
1/4 of 1/4						
1/4 of 1/4						

(If area is unsurveyed, state the location as if lines of the public land survey were projected, or contact the Division of Water Rights. If space does not permit listing all 40-acre tracts, include on another sheet or state sections, townships and ranges, and show detail on map.)

7. DIVERSION WORKS

- a. Diversion will be by gravity by means of A: Diversion Dam; 1, 2, 3 & B: Dam  
(Dam, pipe in unobstructed channel, pipe through dam, siphon, weir, gate, etc.)
- b. Diversion will be by pumping from \_\_\_\_\_ Pump discharge rate \_\_\_\_\_ Horsepower \_\_\_\_\_  
(Sump, offset well, channel, reservoir, etc.) (cfs or gpd)
- c. Conduit from diversion point to first lateral or to offstream storage reservoir:

CONDUIT (Pipe or channel)	MATERIAL (Type of pipe or channel lining) (Indicate if pipe is buried or not)	CROSS SECTIONAL DIMENSION (Pipe diameter or ditch depth and top and bottom width)	LENGTH (Feet)	TOTAL LIFT OR FALL		CAPACITY (Estimate)
				Feet	+ or -	
	See Attachment					

- d. Storage reservoirs: (For underground storage, complete Supplement 1 to WR1, available upon request.)

Name or number of reservoir, if any	DAM				RESERVOIR		
	Vertical height from downstream toe of slope to spillway level (ft.)	Construction material	Dam length (ft.)	Freeboard Dam height above spillway crest (ft.)	Approximate surface area when full (acres)	Approximate capacity (acre-feet)	Maximum water depth (ft.)
See Attachment							

- e. Outlet pipe: (For storage reservoirs having a capacity of 10 acre-feet or more.)

Diameter of outlet pipe (Inches)	Length of outlet pipe (feet)	FALL (Vertical distance between entrance and exit of outlet pipe in feet)	HEAD (Vertical distance from spillway to outlet pipe in reservoir in feet)	Estimated storage below outlet pipe entrance (dead storage)
		See Attachment		

- f. If water will be stored and the reservoir is not at the point of diversion, the maximum rate of diversion to offstream storage will be 1.33 cfs. Diversion to offstream storage will be made by: ☐ Pumping ☒ Gravity

8. COMPLETION SCHEDULE

- a. Year work will start 2006 b. Year work will be completed 2012  
c. Year water will be used to the full extent intended 2014 d. If completed, year of first use \_\_\_\_\_

9. GENERAL

- a. Name of the post office most used by those living near the proposed point of diversion is Ahwahnee
- b. Does any part of the place of use comprise a subdivision on file with the State Department of Real Estate? YES ☒ NO ☐  
If yes, state name of the subdivision Ahwahnee Country Club Estates, Miami Highlands  
If no, is subdivision of these lands contemplated? YES ☐ NO ☐  
Is it planned to individually meter each service connection? YES ☐ NO ☒ If yes, When? \_\_\_\_\_
- c. List the names and addresses of diverters of water from the source of supply downstream from the proposed point of diversion: See files of SWRCB
- d. Is the source used for navigation, including use by pleasure boats, for a significant part of each year at the point of diversion, or does the source substantially contribute to a waterway which is used for navigation, including use by pleasure boats? YES ☐ NO ☒ If yes, explain: \_\_\_\_\_

10. EXISTING WATER RIGHT

Do you claim an existing right for the use of all or part of the water sought by this application? YES ☒ NO ☐  
If yes, complete table below:

Nature of Right (riparian, appropriative, groundwater.)	Year of First Use	Purpose of use made in recent years Including amount, if known	Season of Use	Source	Location of Point of Diversion
See Attachment					

11. AUTHORIZED AGENT (Optional)

With respect to ☒ all matters concerning this water right application ☐ those matters designated as follows:

Wagner & Bonsignore, Consulting Civil (916) 441 - 6850  
(Name of agent) Engineers, A Corp. (Telephone number of agent between 8 a. m. and 5 p. m.)  
444 N. Third St., Ste. 325, Sacramento, CA 95814  
(Mailing address) (City or town) (State) (Zip code)

is authorized to act on my behalf as my agent.

12. SIGNATURE OF APPLICANT

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.  
Dated 3-26 19 04, at Los Angeles, California

(If there is more than one owner of the project, please indicate their relationship.)

Ms. ☒ Mr. Roy A. Hill  
Miss. Mrs. \_\_\_\_\_  
(Signature of applicant)  
PRESIDENT, SPACECRAFT HOMES, INC

Ms. ☐ Mr. \_\_\_\_\_  
Miss. Mrs. \_\_\_\_\_  
(Signature of applicant)

Additional information needed for preparation of this application may be found in the Instruction Booklet entitled "HOW TO FILE AN APPLICATION TO APPROPRIATE WATER IN CALIFORNIA". If there is insufficient space for answers in this form, attach extra sheets. Please cross-reference all remarks to the numbered item of the application to which they may refer. Send original application and one copy to the STATE WATER RESOURCES CONTROL BOARD, DIVISION OF WATER RIGHTS, P. O. Box 2000, Sacramento, CA 95812-2000, with \$100 minimum filing fee.

NOTE:

If this application is approved for a permit, a minimum permit fee of \$100 will be required before the permit is issued.  
There is no additional fee for registration of small domestic.

Re: 2 a. - Source

<u>POD</u>	<u>Source/Tributary</u>
<del>A</del>	<del>Miami Creek tributary to the Fresno River thence the San Joaquin River</del>
#1	Unnamed Stream tributary to Miami Creek thence Fresno River thence San Joaquin River.
#2	Unnamed Stream tributary to Miami Creek thence Fresno River thence San Joaquin River.
#3	Unnamed Stream tributary to Miami Creek thence Fresno River thence San Joaquin River.
#4	Unnamed Stream tributary to Carter Creek thence Miami Creek thence Fresno River thence San Joaquin River.
#5	Unnamed Stream tributary to Miami Creek thence Fresno River thence San Joaquin River.

3/10/04 LTR

Re: 3b. - Points of Diversion and Rediversion

<u>Map Point</u>	<u>Description</u>
<del>A</del>	<del>Point of Diversion to Off Stream Storage at Points #1, #2 and #3: Located N. 317,100 and E. 2,241,200 California Coordinate System, Zone 3, Being within the SE1/4 of NE1/4 of Section 33, T6S, R21E, MDB&amp;M</del>
#1	Point of Diversion by Collection to Storage and Point of Rediversion and for Water Diverted at Points A, #2 and #3: Located N.314,472 and E.2,236,846 California Coordinate System, Zone 3. Being within the SW1/4 of SW1/4 of Section 33, T6S, R21E, MDB&M. AND OFFSTREAM STORAGE P/WATER DIVERSION AT #2 & #3
#2	Point of Diversion by Collection to Storage and Point of Rediversion and Storage for Water Diverted at Point A: Located N.314,720 and E.2,235,119 California Coordinate System, Zone 3. Being within the SE1/4 of SE1/4 of Section 32, T6S, R21E, MDB&M. TO OFFSTREAM STORAGE AT RES #1
#3	Point of Diversion by Collection to Storage and Point of Rediversion and Storage for Water Diverted at Point A: Located N.316,882 and E.2,234,933 California Coordinate System, Zone 3. Being within the SE1/4 of NE1/4 of Section 32, T6S, R21E, MDB&M. TO OFFSTREAM STORAGE AT RES #1
#4	Point of Diversion by Collection to Storage: Located N.317,847 and E.2,232,616 California Coordinate System, Zone 3. Being within the SE1/4 of NW1/4 of Section 32, T6S, R21E, MDB&M.
#5	Point of Diversion by Collection to Storage and Point of Rediversion for Water Diverted at Point #3: Located N.315,608 and E.2,232,535 California Coordinate System, Zone 3. Being within the NE1/4 of SW1/4 of Section 32, T6S, R21E, MDB&M.

7/6/04 LTR  
3/10/04 LTR  
6/11/05 E-MAIL

Mr. Steve Herrera

May 3, 2004

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**Re: 4.a. - Purpose of Use, Amount and Season**

PURPOSE OF USE (Irrigation, Domestic, etc.)	DIRECT DIVERSION				STORAGE		
	QUANTITY		SEASON OF DIVERSION		AMOUNT	COLLECTION SEASON	
	RATE (Cubic feet per second or gallons per day)	AMOUNT (Acre-feet per year)	Beginning Date (Mo. & Day)	Ending Date (Mo. & Day)	Acre-feet Per annum	Beginning Date (Mo. & Day)	Ending Date (Mo. & Day)
Municipal					173	Dec. 1	April 30
Recreation							
					173		

**Re: 5.a. - Justification of Amount (Irrigation)**

CROP	ACRES	METHOD OF IRRIGATION (Sprinklers, flooding, etc.)	ACRE-FEET PER YEAR	NORMAL SEASON	
				Beginning Date	Ending Date
N/A					

**Re: 5.e. - Justification of Amount (Municipal)**

POPULATION 5-Year periods until use is completed		MAXIMUM MONTH		ANNUAL USE		
PERIOD	POP.	Average daily use (gal. per capita)	Rate of diversion (cfs)	Average daily use (gal. per capita)	Acre-feet (per capita)	Total acre-feet*
Present	173	684	0.2	585	0.65	112
5 yrs.	974	682	1.0	577	0.64	630
10 yrs.	1,155	685	1.2	580	0.65	750

\* Applicant also uses groundwater sources and water diverted under Riparian and Pre-1914 claims of right.

Month of Maximum use during year is AUGUST. Month of minimum use during year is FEBRUARY.

**Re: 6.a. - Place of Use**

**Does Applicant own the land where the water will be used?**

Place of Use is within the boundary of Madera County Maintenance District 46.

**Re: 6.b. - Place of Use**

The boundary of Madera County Maintenance District 46, which is located within the following sections:

<u>Section</u>	<u>Township</u>	<u>Range</u>	<u>B.&amp;M.</u>
29	T.6S.	R.21E.	M.D.
31	T.6S.	R.21E.	M.D.
32	T.6S.	R.21E.	M.D.
33	T.6S.	R.21E.	M.D.
34	T.6S.	R.21E.	M.D.
4	T.7S.	R.21E.	M.D.
5	T.7S.	R.21E.	M.D.

**Re: 7.a. - Diversion Works**

**Diversion will be by gravity by means of:** ~~A: Diversion Dam~~ #1 - #5: Dam

5/10/05  
LTR

**Re 7.c. - Diversion Works (Conduit)**

FROM / TO	CONDUIT (pipe or channel)	MATERIAL (Type of pipe or channel lining) (Indicate if pipe is buried or not)	CROSS SECTIONAL DIMENSION (Pipe diameter or ditch depth and top and bottom width)	LENGTH (Feet)	TOTAL LIFT OR FALL		CAPACITY (Estimate)
					Feet	+ or -	
*A to 3	Channel	Earth	4' X 1'	9,900	240		1.33 cfs
3 to 2	Pipe	PVC	4"	4,000	40	-	0.5 cfs
2 to 1	Pipe	PVC	6"	2,100	90	+	1 cfs

5/10/05  
LTR

**Re 7.f. - Maximum rate of diversion to offstream storage = 1.33 cfs, by gravity.**

FROM 2 TO 1 RATE = 1 cfs  
3 TO 2 RATE = 0.5 cfs

5/18/05  
email

Mr. Steve Herrera  
May 3, 2004  
Page 5

Re: 9.b. - General

Does ant part of the place of use comprise a subdivision on file with the department of Real Estate? YES

If Yes, State name of the subdivision. Ahwahnee Country Club Estates, Miami Highlands.  
Do you plan to meter each service connection? No

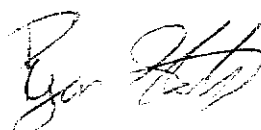
Re: 10 - Existing Water Right

Nature of Right	Year of First Use	Purpose of use made in recent years including amount, if known	Season Of Use	Source	Location of Point of Diversion
Appropriative Permit 21028 (Application 29787)	2000	Irrigation, Recreation	Year Round	Miami Creek	Miami Creek
Pre-1914	1893	Irrigation, Power, Stock, Domestic	Year Round	Miami Creek	Miami Creek

Also enclosed is an amended map showing the foregoing changes as applicable, and the environmental information form with three sets of photographs. Please contact me if you have any questions.

Very truly yours,

WAGNER & BONSIGNORE  
CONSULTING CIVIL ENGINEERS



By: Ryan Stolfus

Encls. ✓

Cc: Bob Bard  
Roger Hill  
Warren Felger  
Ron Pisel



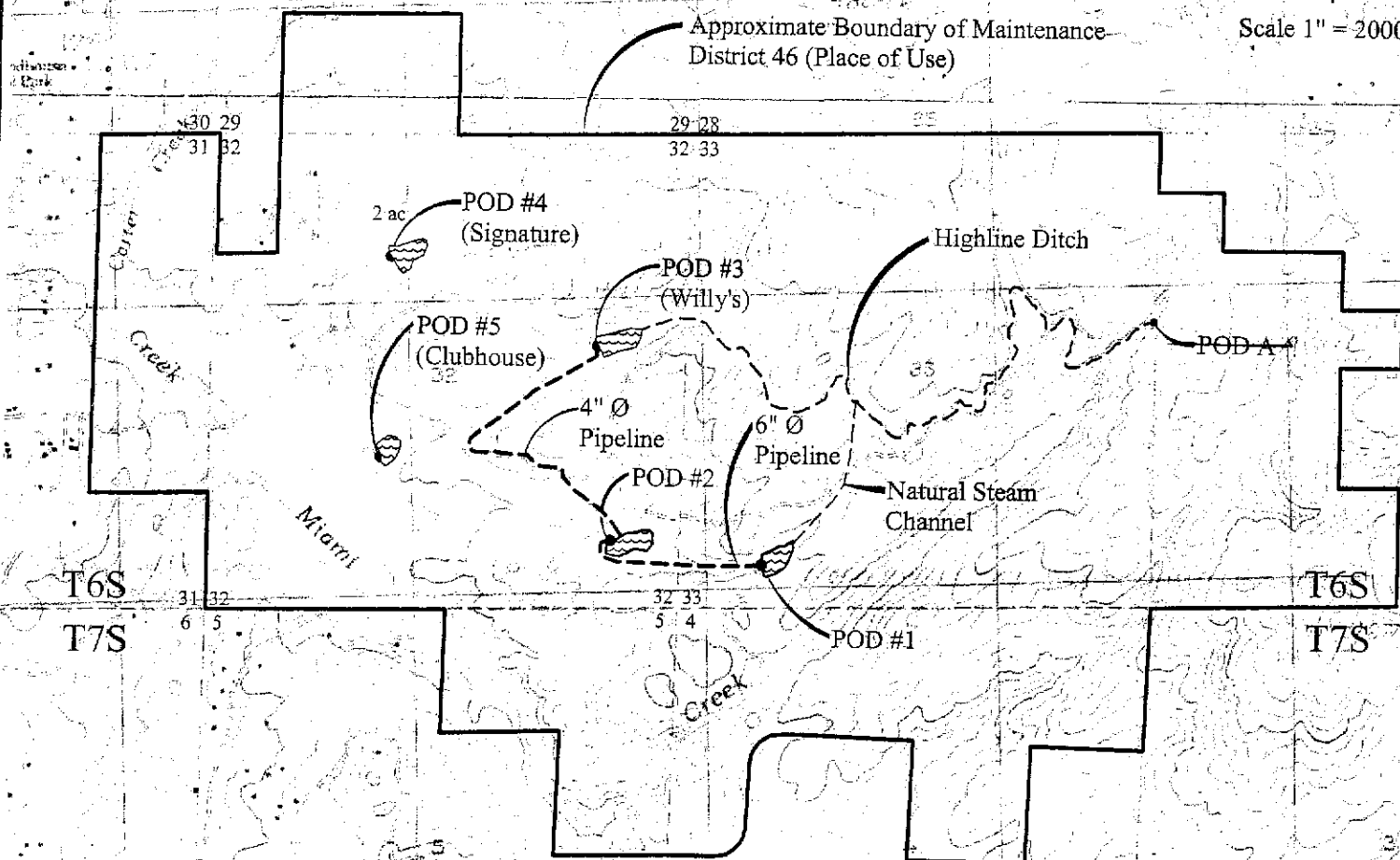
R21E

Amended 3/10/04 LTR  
 SCS 0216 PROJ MAP  
 F/ 1/4/19 DESCRIPTION

N

Miami

Scale 1" = 2000'



## Map Point

## Description

- A Point of Diversion to Off Stream Storage at Points #1, #2 and #3: Located N. 317,100 and E. 2,241,200 California Coordinate System, Zone 3, Being within the SE1/4 of NE1/4 of Section 33, T6S, R21E, MDB&M.
- #1 Point of Diversion by Collection to Storage and Point of Rediversion and Storage for Water Diverted at Points A, #2 and #3: Located N.314,472 and E.2,236,846 California Coordinate System, Zone 3, Being within the SW1/4 of SW1/4 of Section 33, T6S, R21E, MDB&M.
- #2 Point of Diversion by Collection to Storage and Point of Rediversion and Storage for Water Diverted at Point A: Located N.314,720 and E.2,235,119 California Coordinate System, Zone 3, Being within the SE1/4 of SE1/4 of Section 32, T6S, R21E, MDB&M.
- #3 Point of Diversion by Collection to Storage and Point of Rediversion and Storage for Water Diverted at Point A: Located N.316,882 and E.2,234,933 California Coordinate System, Zone 3, Being within the SE1/4 of NE1/4 of Section 32, T6S, R21E, MDB&M.
- #4 Point of Diversion by Collection to Storage: Located N.317,847 and E.2,232,616 California Coordinate System, Zone 3, Being within the SE1/4 of NW1/4 of Section 32, T6S, R21E, MDB&M.
- #5 Point of Diversion by Collection to Storage and Point of Rediversion for Water Diverted at Point #3: Located N.315,608 and E.2,232,535 California Coordinate System, Zone 3, Being within the NE1/4 of SW1/4 of Section 32, T6S, R21E, MDB&M.

Amended Map to Accompany  
 Water Right Application 31425

by  
 Stonecraft Homes, Inc. et al

for  
 Appropriation of Water  
 from  
 Miami Creek and Unnamed  
 Streams

Madera County, California  
**Wagner Bonsignore**  
 Consulting Civil Engineers, A Corporation

April 2004

**ATTACHMENT TO APPLICATION  
BY**

Stonecraft Homes, Inc.; Sierra Meadows Homes, LP; Sierra Meadows Golf, Inc.;  
Bard Investment Company, LP; Sierra Meadows Golf Club, LP.

**Item 1.**                      **Applicant**

Stonecraft Homes, Inc.; Sierra Meadows Homes, LP; Sierra Meadows Golf, Inc.;  
Bard Investment Company, LP; and Sierra Meadows Golf Club, LP.

C/O Mr. Roger A. Hill, President  
11661 San Vicente Blvd., Ste 305  
Los Angeles, CA 90049  
(310) 826-1482

**Item 2a.**                      **Source**

<b><u>POD</u></b>	<b><u>Source/Tributary</u></b>
#1	Unnamed Stream tributary to Miami Creek thence Fresno River thence San Joaquin River.
#2	Unnamed Stream tributary to Miami Creek thence Fresno River thence San Joaquin River.
#3	Unnamed Stream tributary to Miami Creek thence Fresno River thence San Joaquin River.
#4	Unnamed Stream tributary to Carter Creek thence Miami Creek thence Fresno River thence San Joaquin River.
#5	Unnamed Stream tributary to Miami Creek thence Fresno River thence San Joaquin River.

**Item 3b.**                      **Points of Diversion and Rediversion**

<b><u>Map Point</u></b>	<b><u>Description</u></b>
#1	<u>Point of Diversion by Collection to Storage in Reservoir #1 and Point of Rediversion for Water Diverted at Points #2 and #3:</u> Located N.314,472 and E.2,236,845 California Coordinate System, Zone 3. Being within the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 33, T6S, R21E, MDB&M.
#2	<u>Point of Diversion by Collection to Storage in Reservoir #2:</u> Located N.314,720 and E.2,235,119 California Coordinate System, Zone 3. Being within the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 32, T6S, R21E, MDB&M.

B

- #3 Point of Diversion by Collection to Storage in Reservoir #3: Located N.316,882 and E.2,234,938 California Coordinate System, Zone 3. Being within the SE¼ of NE¼ of Section 32, T6S, R21E, MDB&M. <sup>3</sup>
- #4 Point of Diversion by Collection to Storage in Reservoir #4: Located N.317,847 and E.2,232,616 California Coordinate System, Zone 3. Being within the SE¼ of NW¼ of Section 32, T6S, R21E, MDB&M. <sup>905</sup>
- #5 Point of Diversion by Collection to Storage in Reservoir #5 and Point of Rediverison for Water Diverted at Point #3: Located N.315,608 and E.2,232,505 California Coordinate System, Zone 3. Being within the NE¼ of SW¼ of Section 32, T6S, R21E, MDB&M. <sup>10</sup>

Item 4b.

The total amount of water to be diverted under this application together with that diverted under Permit 21028 (Application 29787) shall not exceed 173 acre-feet.

Item 6b.

Place of Use

<u>Use is Within</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>	<u>B.&amp;M.</u>	<u>Acres</u>	<u>Previously Cultivated</u>
SE¼ of NE¼	31	T.6S.	R.21E.	M.D.	6	Yes
NE¼ of SE¼	31	T.6S.	R.21E.	M.D.	1	Yes
SW¼ of NW¼	32	T.6S.	R.21E.	M.D.	13	Yes
NE¼ of NW¼	32	T.6S.	R.21E.	M.D.	2	Yes
SE¼ of NW¼	32	T.6S.	R.21E.	M.D.	8	Yes
NW¼ of SW¼	32	T.6S.	R.21E.	M.D.	33	Yes
SW¼ of SW¼	32	T.6S.	R.21E.	M.D.	14	Yes
NE¼ of SW¼	32	T.6S.	R.21E.	M.D.	27	Yes
SE¼ of SW¼	32	T.6S.	R.21E.	M.D.	40	Yes
NW¼ of SE¼	32	T.6S.	R.21E.	M.D.	2	Yes
SW¼ of SE¼	32	T.6S.	R.21E.	M.D.	7	Yes

**TOTAL 153**

Re: 7.d. Diversion Works (Storage Reservoirs)

Name or Number of Reservoir, if any	DAM				RESERVOIR		
	Vertical height From downstream Toe of slope to Spillway level (ft.)	Construction Material	Dam length (ft.)	Freeboard Dam height Above spillway Crest (ft.)	Approximate surface area when full (acres)	Approximate capacity (acre-feet)	Maximum water depth
1	21.5	Earth	275'	2.5	2.8	32	24
2	24.9	Earth	580'	3	3.5	36	23
3 (Willy's)	24.9	Earth	275'	3	2.6	31	29
4 (Signature)	23.4	Earth	420'	3.5	3.1	49	23
5 (Clubhouse)	15.2	Earth	220'	3.5	1.7	25	19

Re: 7.e. Diversion Works (Outlet Pipe)

Name or Number of Reservoir, if any	Length of Outlet pipe (feet)	FALL (Vertical distance between entrance and exit of outlet pipe in feet)	HEAD (Vertical distance from spillway to outlet pipe in reservoir in feet)	Estimated storage below outlet pipe entrance (dead storage)
1		10-inch diameter siphon		
2		6-inch diameter siphon		
3 (Willy's)		4-inch diameter siphon		
4 (Signature)		4-inch diameter siphon		
5 (Clubhouse)		3-inch diameter siphon		

Re: 10. Existing Water Right

Nature of Right	Year of First Use	Purpose of use made in recent years including amount, if known	Season Of Use	Source	Location of Point of Diversion
Appropriative Permit 21028 (Application 29787)	2000	Irrigation, Recreation	Year Round	Same, Miami Creek	Miami Creek
Pre-1914	1893	Irrigation, Power, Stock, Domestic	Year Round	Same, Miami Creek	Miami Creek

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS  
1001 I Street, Sacramento  
P. O. Box 2000, Sacramento, CA 95814-2000

**APPLICATION TO APPROPRIATE WATER BY PERMIT  
ENVIRONMENTAL INFORMATION**

(THIS IS NOT A CEQA DOCUMENT)

APPLICATION NO. \_\_\_\_\_  
(leave blank)

The following information will aid in the environmental review of your application as required by the California Environmental Quality Act (CEQA). IN ORDER FOR YOUR APPLICATION TO BE ACCEPTED AS COMPLETE, ANSWERS TO THE QUESTIONS LISTED BELOW MUST BE COMPLETED TO THE BEST OF YOUR ABILITY. Failure to answer all questions may result in your application being returned to you, causing delays in processing. If you need more space, attach additional sheets. Additional information may be required from you to amplify further or clarify the information requested in this form.

**PROJECT DESCRIPTION**

1. Provide a brief description of your project, including but not limited to type of construction activity, structures existing or to be built, area to be graded or excavated and project operation, including how the water will be used.

The primary purpose of this application is to obtain a permit for diversion of water from the unnamed streams upon which five existing storage reservoirs are located (Points of Diversion 1 through 5). Presently, up to 61.8 acre-feet water can be diverted into the five reservoirs from a point of diversion on Miami Creek under the Applicant's existing Permit 21028 (Application 29878). The water requested under this application will be used as part of a larger project involving municipal water supply for residential and commercial development within the boundary of Madera County Maintenance District 46. Water diverted under this application will be commingled with water diverted under Permit 21028, pending Application 31497, and the Applicant's riparian and pre-1914 claims of right, and water extracted from groundwater sources, to meet existing and future municipal demands. In order to conform with Permit 21028 and A31497, the ~~permitted point of diversion on Miami Creek has been added to this application (POD-A).~~ <sup>5/10/04</sup>

The diversion and storage facilities named in his application have existed for decades, therefore, there will be no construction associated with diversion and storage under this application. In the place of use, existing development includes some residential homes, a golf course with appurtenant commercial facilities, and an RV park with 50 spaces. Water will also be used for municipal purposes within the Sierra Meadows Estates Subdivision and other existing and proposed subdivisions within MD 46. At build-out, the total number of residential homesites will be 422.

An EIR is presently being prepared by RBF Consultants for the overall subdivision project, with Madera County acting as the Lead Agency. The draft EIR is expected to be circulated for public comment in May 2004.

## GOVERNMENTAL REQUIREMENTS

Before a final decision can be made on your water right application, we must consider the information contained in an environmental document prepared in compliance with the requirements of CEQA. If an environmental document has been prepared for your project by another agency, we must consider it. If one has not been prepared, a determination must be made as to who is responsible for the preparation of the environmental document for your project. The following questions are designed to aid us in that determination.

2. Contact your county planning or public works department for the following information:
- (a) Person contacted Steve Greer Date of contact Information obtained from Applicant's lead consultant, Nolte & Associates, March 17, 2004.
- Department Planning Department Telephone (559) 661-6333
- (b) Assessor's Parcel No. Within the boundary of Maintenance District 46 as shown on the accompanying map.
- (c) County Zoning Designation RUS, RER, RER 2, RER 5
- (d) Are any county permits required for your project? Yes If you answered yes, check appropriate spaces below:
- X Grading Permit, X Use Permit, \_\_\_\_\_ Watercourse Obstruction Permit,  
X Change of Zoning, X General Plan Change, \_\_\_\_\_ Other explain: \_\_\_\_\_
- (e) Have you obtained any of the required permits described above? No If you answered yes, provide a complete copy of each permit obtained.
3. Are any additional state or federal permits required for your project? Yes [i.e., from Federal Energy Regulatory Commission, U.S. Forest Service, Bureau of Land Management, Soil Conservation Service, Department of Water Resources (Division of Safety of Dams), Reclamation Board, Coastal Commission, State Lands Commission, etc.] For each agency from which a permit is required provide the following information:
- Permit type Required Permits will disclosed in the Environmental Impact Report (see Item 4 below)
- Person contacted \_\_\_\_\_ Agency \_\_\_\_\_
- Date of Contact \_\_\_\_\_ Telephone ( ) \_\_\_\_\_
4. Has any public agency prepared an environmental document for any aspect of your project? In Progress If so, please submit a copy of the latest environmental document(s) prepared, including a copy of the notice of determination adopted by the public agency.

If not, explain below whether you expect that a public agency other than the State Water Resources Control Board will be preparing and environmental document for your project or whether the applicant, if it is a California public agency, will be preparing the environmental document for your project: This Application is part of a larger project for the Sierra Meadows Estates Subdivision. An EIR is being prepared by RBF Consultants for the overall development, with the County of Madera acting as lead agency. The draft EIR is proposed to be circulated in May 2004.

Note: When completed, please submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Resources Control Board. Processing of your water right application cannot proceed until such documents are submitted.

5. Will your project, during construction or operation, generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or cause erosion, turbidity or sedimentation? Yes If so, explain: The housing and RV park development will generate sewage. This issue will be addressed in the EIR.

If you answered yes or you are unsure of your answer, contact your local Regional Water Quality Control Board for the following information (See attachment for address and telephone number):

Will a waste discharge permit be required for your project? This issue will be addressed in the EIR

Person contacted \_\_\_\_\_ Date of contact \_\_\_\_\_

What method of treatment and disposal will be used? \_\_\_\_\_

6. Have any archeological reports been prepared on this project, or will you be preparing an archeological report to satisfy another public agency? This issue will be addressed in the EIR

Do you know of any archeological or historical sites located within the general project area? No

If so, explain: \_\_\_\_\_

### **ENVIRONMENTAL SETTING**

7. Attach **THREE COMPLETE SETS** of color photographs, clearly dated and labeled, showing the vegetation currently existing at the following locations:
- (a) Along the stream channel immediately downstream from the proposed point(s) of diversion
  - (b) Along the stream channel immediately upstream from the proposed point(s) of diversion
  - (c) At the place(s) where the water is to be used

Note: It is very important that you submit no less than three complete sets of photographs as required above. If less than three sets are submitted, processing of your application will be delayed until you furnish the remaining sets!

8. From the list given below, mark or circle the general plant community types which best describe those which occur within your project area (Note: See footnote denoted by \* under Question 11 below):

Tree Dominated Communities

- Subalpine Conifer
- Red Fir
- Lodgepole Pine
- Mixed Conifer
- ✓ Sierran Mixed Conifer
- White Fir
- Klamath Mixed Conifer
- Douglas-Fir
- Jeffrey Pine
- Ponderosa Pine
- Eastside Pine
- Redwood
- Pinyon-Juniper
- Juniper
- Aspen
- Closed-Cone Pine-Cypress
- Montane Hardwood-Conifer
- Montane Hardwood
- Valley Foothill Hardwood
- Blue Oak Woodland
- Valley Oak Woodland
- Coastal Oak Woodland
- ✓ Valley Foothill Hardwood-Conifer
- Blue Oak-Digger Pine
- Eucalyptus
- Montane Riparian
- Valley Foothill Riparian
- Desert Riparian
- Palm Oasis
- Joshua Tree

Shrub Dominated Communities

- Alpine Dwarf-Shrub
- Low Sage
- Bitterbrush
- Sagebrush
- Montane Chaparral
- Mixed Chaparral
- Chamise-Redshank Chaparral
- Coastal Scrub
- Desert Succulent Shrub
- Desert Wash
- Desert Scrub
- Alkali Desert Scrub

Herbaceous Dominated Communities

- Annual Grassland
- Perennial Grassland
- Wet Meadow
- Fresh Emergent Wetland
- Saline Emergent Wetland
- Pasture

Aquatic Communities

- ✓ Riverine
- ✓ Lacustrine
- Estuarine
- Marine

Developed Communities

- Cropland
- Orchard-Vineyard
- ✓ Urban

Literature source: Mayer, K.E., and W.F. Laudenslayer, Jr., (eds). 1988. A Guide to Wildlife Habitats of California. California Department of Forestry and Fire Protection, Sacramento. 166 pp. (Note: You may view a copy of this document at our public counter at the address given at the top of this form or you may purchase a copy by calling the California Department of Fish and Game, Wildlife Habitat Relationships (WHR) Program, at (916) 653-7203.)



9. Provide below an estimate of the type, number, and size (trunk/stem diameter at chest height) of trees and large shrubs that are planned to be removed or destroyed due to construction and operation of your project. Consider all aspects of your project, including diversion structures, water distribution and use facilities, and changes in the places of use due to additional water development.

The reservoirs, conveyance ditches and pipelines, and the diversion facility at Point A are existing. In the place of use, the golf course, clubhouse, RV park, and a number of residences are existing. Additional residential development is proposed for the Sierra Meadows Estates Subdivision. An EIR is being prepared by RBF Consultants for the overall development with the County of Madera acting as the lead agency. This issue will be addressed in the EIR.

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### **FISH AND WILDLIFE CONCERNS**

10. Identify the typical species of fish which occur in the source(s) from which you propose to divert water and discuss whether or not any of these fish species or their habitat has been or would be affected by your project (Note: See footnote denoted by \* under Question 11 below):

Bluegill, sunfish, green sunfish, rainbow trout, non-native brown trout have been identified in Miami Creek. This Application is part of a larger project for the Sierra Meadows Estates Subdivision. An EIR is being prepared by RBF Consultants for the overall development for the County of Madera. This issue will be addressed in the EIR.

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11. Identify the typical species of riparian and terrestrial wildlife in the project area and discuss whether or not any of these species and/or their habitat has been or would be affected by your project through construction of water diversion and distribution works and changes in the places of water use (Note: See footnote denoted by \* below):

Bullfrog, Pacific tree frog, western pond turtle, California newt have been identified in Miami Creek. This Application is part of a larger project for the Sierra Meadows Estates Subdivision. An EIR is being prepared by RBF Consultants for the overall development for the County of Madera. This issue will be addressed in the EIR.

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**\*Note:** The purposes of Questions 10 and 11 are to provide a preliminary assessment of the presence of typical plant and animal species in the project area and whether these species might be affected by your project. Detailed site surveys to quantify populations of specific species or determine the presence of rare or endangered species may be required at a later date. It is very important that you answer these questions accurately. If you are unable to obtain appropriate answers from your local California Department of Fish and Game biologists (see attachment for address and telephone number) or you do not have adequate information or expertise to complete your answers, you should hire a fishery consultant and/or a wildlife consultant to review your project and prepare suitable answers for you. For information on available qualified fishery or wildlife consultants near your, consult your local telephone directory yellow pages under **Environmental and Ecological Services**, or call the California Environmental Protection Agency, Registered Environmental Assessor (REA) Program at (916) 324-6881 or the University of California, Cooperative Extension Service (see your local telephone directory white pages).

12. Does your proposed project involve any construction or grading-related activity which has significantly altered or would significantly alter the bed or bank of any stream or lake? Yes

If so, explain: \_\_\_\_\_

Construction of existing reservoirs involved alteration of intermittent streams. The existing diversion at Miami Creek involved the construction of a low concrete diversion dam across the Creek. These facilities have existed for decades.

### **CERTIFICATION**

I hereby certify that the statements I have furnished above and in the attached exhibits are complete to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Date 5/3/07

Signature \_\_\_\_\_

Wagner & Bonsignore  
Consulting Civil Engineers